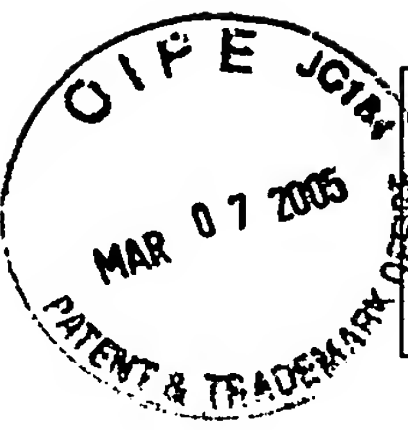


3FW



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: March 3, 2005 Signature: [Signature]
(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON V
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Errico et al.

Application No.: 10/663,486

Confirmation No.: 2428

Filed: September 16, 2003

Art Unit: 3738

For: INTERVERTEBRAL SPACER DEVICE
HAVING RECESSED NOTCH PAIRS FOR
MANIPULATION USING A SURGICAL
TOOL

Examiner: Not Yet Assigned

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: March 3, 2005

Respectfully submitted,

By [Signature]
Raymond Garguilo, Jr.
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